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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,514	10/23/2000	Timothy M. Moore	205724	9639

23460 7590 06/15/2005

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EXAMINER

ZAND, KAMBIZ

ART UNIT PAPER NUMBER

2132

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/694,514

Applicant(s)

MOORE ET AL.

Examiner

Kambiz Zand

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11, 16-28 and 33-36 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-11, 16-28 and 33-36 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Kambiz Zand*  
*[Signature]*

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03/14/05.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims 12-15 and 29-32 have been cancelled.
4. Claims 1, 5, 6, 16, 20, 21 and 33 have been amended.
5. Claims 1-11, 16-28 and 33-36 are pending.
6. Examiner withdraws objection to the claims 12-15 and 29-32 due to correction by the applicant.
7. Examiner withdraws rejection of claim 6 under 35 U.S.C. 112-second paragraphs due to correction by the applicant.

### ***Response to Arguments***

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections - 35 USC § 103**

9. **Claims 1-9, 16, 20-26 and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Diffie et al (5,371,794 A) in view of Shanton (5,369,702 A).

**As per claims 1, 16, 20, 21 and 33** Diffie et al (5,371,794 A) disclose method, computer readable medium having computer executable instructions for providing a mobile computing machine with privileged access to a computing resource, the method comprising the steps of:

Obtaining a certificate with a unique machine identifier to facilitate authenticating an identity of the mobile computing unit; providing the certificate to an authenticator to prove the machine identity. the authenticator controlling access to the computing resource; and establishing access to the computing resource using authorization information obtained from the authenticator, the authorization information corresponding to the authenticated identity of the mobile computing unit ( see abstract; fig.5a,fb and associated text that disclose the above limitations; also the method is being used between two parties; col.2, lines 38-67; col.3-5) **but do not disclose access based on relative security level for a user on asserted identity**. However Shanton (5,369,702 A) disclose **access based on relative security level for a user on asserted identity** (see abstract where every object or resource are labeled by attributes and algorithm attributes (security level) to achieve a multi level security; fig.3 and associated text; fig.6 and 8 and associated text; col.2, lines 31-57; and col.11, lines 40-48 where the nested objects are being accessed only in part based on the attributes and algorithm attached). It would have been obvious to one of ordinary skilled in the art at the time the invention was made to utilize Shanton's access to an object method based on a user asserted identity and security level in Diffie's access method system to objects in order to control which objects are visible (accessed) to a specific user, which objects are available for

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use and which level on system implementation can become transparent (see col.5, lines 18-24).

**As per claims 2-9 and 22-26** Diffie et al (5,371,794 A) disclose method, computer readable medium having computer executable instructions for wireless link, having mobile identifier, log-in features, given access to resources, having symmetric/asymmetric key, storing the certificate in the mobile unit (see fig. 1-5b and associated text).

**10. Claims 10-11, 17-19, 27, 28 and 34-36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Diffie et al (5,371,794 A) in view of Shanton (5,369,702 A), and further in view of Ramasubramani et al (6,233,577 B1).

**As per claims 10-11, 17, 27, 28 and 34** Diffie et al (5,371,794 A) in view of Shanton (5,369,702 A) teach all limitation of the claims as applied above but do not expressly disclose using a domain controller for obtaining the certificate where the URL address is being used for receiving and sending data. However Ramasubramani et al (6,233,577 B1) disclose using a domain controller for obtaining the certificate where the URL address is being used for receiving and sending data (see fig.2 and associated text). It would have been obvious to one of ordinary skilled in the art at the time the invention was made to utilize Ramasubramani domain controller having URL in Diffie's mobile authentication method and system in view of Shanton's access method based on

asserted identity and security level in order to use the computing resources in a server device to carry out the task of obtaining and maintaining certificates asynchronously in the proxy server using HTTP, HTML. (see abstract; and fig.2 in support of the motivation).

**As per claims 18-19 and 35-36** Diffie et al (5,371,794 A) disclose a method and a computer readable medium for receiving and using a key for encryption and decryption communications to/ and from the computing resource (see fig. 1-5b and associated text where receiving a symmetric or asymmetric key for encryption and decryption are being disclosed).

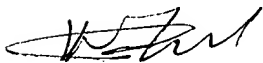
### Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (571) 272-3811. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

06/11/2005

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